

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

GREGORY TIFT,

Defendants.

CASE NO. CR20-0168-JCC

ORDER

This matter comes before the Court on Defendant Gregory Tift's motion to continue trial. (Dkt. No. 149). Having thoroughly considered the briefing, and finding oral argument unnecessary, the Court GRANTS the motion for the reasons described herein.

Defendant moves to continue based on his need for additional time to review voluminous discovery along with other complicating factors, including his decision to represent himself, and time to recover from a medical procedure. (Dkt. No. 149 at 2–4). The Government opposes, asserting Defendant was warned of the risks of self-representation, has already received adequate time to prepare for trial, and because the public's interest in a speedy trial outweighs his proffered reasons for a continuance. (Dkt. No. 151 at 2–3). Defendant previously moved to continue in December 2021, (*see* Dkt. No. 53); the Government filed another motion to continue in March 2022, (*see* Dkt. No. 84); and the Defendant moved to continue again in July 2022 (*see* Dkt. No. 117).

1 The Court FINDS that, taking into account the exercise of due diligence, the failure to
2 grant a continuance would deny Defendant the reasonable time necessary for effective
3 preparation, *see* 18 U.S.C. § 3161(h)(7)(B)(iv), and would therefore result in a miscarriage of
4 justice, *see id.* (h)(7)(B)(i). Based on these findings, the Court concludes that the ends of justice
5 served by granting a continuance outweigh the best interest of the public and of Defendant to a
6 speedy trial, as set forth in § 3161(h)(7)(A).

7 Here, Defendant asks to continue the trial date to early 2023 (Dkt. No. 149). The Court
8 agrees with the Government that Defendant's request for more time is tempered by the three
9 previous continuances, and the Court is unlikely to grant further continuances absent extreme
10 extenuating circumstances.

11 Accordingly, the Court GRANTS Defendant's motion to continue (Dkt. No. 149) and
12 ORDERS as follows:

- 13 1. The November 21, 2022 jury trial is CONTINUED until January 17, 2023.
- 14 2. The pretrial motions deadline has passed.
- 15 3. The period from the date of this order through the new trial date, January 17, 2023, is
16 excludable under 18 U.S.C. § 3161(h)(7)(A) and (h)(6).

17 DATED this 14th day of October 2022.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE